

Office of the Standing Chapter 13 Trustee
105 Decker Ct
Suite 1150 11th Floor
Irving, TX 75062
(214) 855-9200

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**IN RE:
BEVERLY JOYCE SCRUGGS
DEBTOR**

CASE NO: 17-32405-BJH-13

**Pre-Hearing: Jun 21, 2018
Time: 8:30 am**

Motion to Dismiss Chapter 13 Case and Notice of Hearing thereon

Now comes, Thomas D. Powers, Chapter 13 Trustee ("Trustee"), and files this Motion to Dismiss and would respectfully show unto the Court as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. Section 157(b), 11 U.S.C. Section 1307 and Fed. Rules Bankruptcy Procedures Rule 9014.
2. This case was filed on Tuesday, June 20, 2017 and a Chapter 13 Plan was confirmed on Wednesday, November 8, 2017.
3. The Trustee's Recommendation Concerning Claims ("TRCC") was filed on Friday, March 2, 2018 and provided for a plan Modification, subject to feasibility in order to make the plan sufficient.
4. The Debtor is unable to prove that the proposed Modification is feasible or in the alternative, the Debtor has failed to prosecute the case.

Wherefore, your Trustee prays that after notice and hearing, this Chapter 13 case be dismissed.

Office of the Chapter 13 Trustee, Dallas

By: /s/ Thomas D. Powers

Thomas D. Powers / State Bar No. 16218700
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BEVERLY JOYCE SCRUGGS

NOTICE OF HEARING

To the Debtor and the Debtor's Attorney of Record:

You are notified of the filing of the foregoing Motion of Trustee to Dismiss Chapter 13 case for the reason (s) therein stated. A pre-hearing conference on the Trustee's Motion will be held on **Thu, Jun 21, 2018 at 8:30 am** at 105 Decker Court, Suite 120, 1st Floor, Irving, TX 75062. Motions not resolved/defaulted at the pre-hearing conference will be held by the Court at 2:00 PM on the same day at 1100 Commerce Street, Fourteenth Floor, Dallas, Texas. You do not have to attend the pre-hearing conference or hearing unless you oppose dismissal of the case.

Certificate of Service

I hereby certify that a true copy of the foregoing Motion to Dismiss Chapter 13 Case and Notice of Hearing thereon was served on the following parties at the addresses listed below by United States First Class Mail or via electronic mail:

Debtor: Beverly Joyce Scruggs, 5530 Stratton Dr, Dallas, Tx 75241
Attorney: T R Weaver And Associates Pc, 100 N Central Expressway, Suite 530, Richardson, Tx 75080**
Notice Creditor(s): Americredit Financial Services Inc, Dba Gm Financial, Po Box 183853, Arlington, Tx 76096**
John Gaines, Americredit Financial Svcs Inc, 801 Cherry Street Suite 3600, Fort Worth, Tx 76102**

**Indicates party has elected to receive all notifications via electronic service and was not served a copy via United States First Class Mail.

Dated: 5/8/2018

By: /s/ Thomas D. Powers